

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

BRADLEY MOORE,

Plaintiff,

Case No.: 3:12-cv-76

vs.

COMMISSIONER OF
SOCIAL SECURITY,

District Judge Thomas M. Rose
Magistrate Judge Michael J. Newman

Defendant.

ORDER ADOPTING REPORT AND RECOMMENDATION (DOC. 16)

Before the Court is the Report and Recommendation of Magistrate Judge Michael J. Newman (doc. 16), concerning a request by Plaintiff's counsel for an award of \$3,879.70 in attorney's fees under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412(d). Doc. 14. Magistrate Judge Newman recommended that counsel be awarded the requested \$3,879.70 in EAJA fees. *See* Doc. 14. Neither Plaintiff's counsel nor the Commissioner has opposed the Report and Recommendation, and the time for doing so has expired. Having carefully reviewed this matter, and considered the Magistrate Judge's Report and Recommendation *de novo* as required by Fed. R. Civ. P. 72(b), the Court rules as follows:

1. The Magistrate Judge's Report and Recommendation dated September 23, 2013 (doc. 16) is **AFFIRMED**;
2. Plaintiff's Motion for EAJA fees in the amount of \$3,879.70 (doc. 14) is **GRANTED**, and Plaintiff's counsel is **AWARDED** the sum of \$3,879.70; and
3. This matter is hereby **TERMINATED** on the docket of this Court.

IT IS SO ORDERED.

Date: October 18, 2013

*s/THOMAS M. ROSE

Thomas M. Rose
United States District Judge